

Application No. 09/586100
Page 6

Amendment After Final Rejection

REMARKS

Applicant is providing this response to the rejection of May 5, 2003. In that rejection, the Examiner indicated that claims 1-4, 10-11, 14, 16-18, and 22-42, were rejected pursuant to the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,424,269.

Applicant wishes to thank the Examiner for the indication of allowable subject matter.

The Examiner has indicated that he did not receive a Terminal Disclaimer related to U.S. Patent No. 6,424,269. Applicant believes that the Terminal Disclaimer related to U.S. Patent No. 6,424,269 was previously provided. However, to expedite further prosecution of this matter, Applicant has enclosed herein a Terminal Disclaimer to obviate a double patenting rejection as related to U.S. Patent No. 6,424,269. Applicant believes that the enclosed Amendment and remarks fully conforms with the requirements of the Examiner and only requires a cursory review. Applicant respectfully requests the Examiner to enter the Terminal Disclaimer directed to U.S. Patent No. 6,424,269 herein. Applicant respectfully requests the issuance of a formal notice of allowance related to this matter.

Again, the Applicant wishes to thank the Examiner for the indication of allowable subject matter herein

Application No. 09/586100
Page 7

Amendment After Final Rejection

CONCLUSION

In view of the foregoing, it is believed that the present application as amended is in condition for allowance. Applicant respectfully requests reconsideration of the claims as previously amended herein. Applicant respectfully requests an early Notice of Allowance.

If the Examiner has any questions concerning the enclosed Amendment and/or Terminal Disclaimer, the Examiner is cordially invited to contact the undersigned by telephone, facsimile, and/or E-Mail at the below identified address.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: 6-11-, 2003

By: 

Edwin E. Voigt II

Registration No.: 36042

6109 Blue Circle Drive
Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001
E-Mail: evoigt@vaslaw.com

f:\wpwork\eev\09125us_and_20030609.doc